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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,938	10/15/2003	Yee-Chia Yeo	TSM03-0926	7692

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EXAMINER	
MOVVA, AMAR	
ART UNIT	PAPER NUMBER
2894	
MAIL DATE	DELIVERY MODE
01/12/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/685,938	YEO ET AL.	
	Examiner	Art Unit	
	AMAR MOVVA	2894	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 October 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,6-14 and 17-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6-14 and 17-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-2, 6-7, 9, 11-14, and 17-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Koubouchi '399 in view of Xiang '848.

a. Regarding claims 1-2,6-7, 9, 11, and 12:

i. Koubouchi discloses a semiconductor chip comprising: a semiconductor substrate (fig. 16) comprising an active region; a first structure (7,7a fig. 16) formed on the active region; and at least one dummy structure (34,34a fig. 16) formed on the semiconductor substrate, wherein a shallow trench isolation (3, fig. 16) extends under an entire width of a first dummy structure of the at least one dummy structure. The first structure is a transistor gate electrode of a transistor (fig. 16). The semiconductor substrate is a silicon substrate (1, fig. 16). A contact etch-stop layer/dielectric layer (8c, fig. 16) overlying the first structure and the at least one dummy silicide structure. Koubouchi does not, however, expressly disclose that gate/ dummy electrode layer may be made of entirely nickel silicide.

ii. Xiang discloses a semiconductor device wherein the gate electrode layer is made of entirely nickel silicide [0042].

iii. It would have been obvious to one of ordinary skill in the art at the time of the invention to have made Koubouchi's dummy/gate electrodes of entirely nickel silicide in order to reduce gate resistance thus improving device speed/performance ([0008] of Xiang).

b. Regarding claims 13-14 and 17-18:

i. Koubouchi discloses an integrated circuit chip comprising: a substrate (fig. 16) having an active region and an isolation region (3, fig. 16); a transistor (7,7a, fig. 16) formed on the active region, the transistor having a source region, a drain region (8, fig. 16), and a gate electrode (7, 7a, fig. 16); and at least one dummy structure (34,34a fig. 16) formed completely on the isolation region, the at least one dummy structure comprising a layer (7c, 7a fig. 16) and a dielectric layer (8c, fig. 16) being a separate layer from the isolation region and being interposed between the layer and the isloation region. Electrical contacts are electrically coupled to the source region, the drain region, and the gate electrode (fig. 16). Koubouchi does not, however, expressly disclose that gate/ dummy electrode layer may be made of entirely nickel silicide.

ii. Xiang discloses a semiconductor device wherein the gate electrode layer is made of entirely nickel silicide [0042].

iii. It would have been obvious to one of ordinary skill in the art at the time of the invention to have made Koubouchi's dummy/gate electrodes of entirely nickel silicide in order to reduce gate resistance thus improving device speed/performance ([0008] of Xiang).

3. Claim1, 8, 13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koubouchi '399 in view of Nakamura '574.

a. Regarding claims 8 and 13:

i. Koubouchi discloses a semiconductor chip comprising: a semiconductor substrate (fig. 16) comprising an active region; a first structure (7,7a fig. 16) formed on the active region; and at least one dummy structure (34,34a fig. 16) formed on the semiconductor substrate, wherein a shallow trench isolation (3, fig. 16) extends under an entire width of a first dummy structure of the at least one dummy structure. The first structure is a transistor gate electrode of a transistor (fig. 16). However, Koubouchi does not expressly disclose gate/dummy electrode layer is made of entirely of NiGeSi.

ii. Nakamura discloses a semiconductor device wherein the gate electrode is made of entirely NiGeSi (col. 7).

iii. It would have been obvious to one of ordinary skill in the art at the time of the invention to have made Koubouchi's dummy/gate electrodes of

entirely NiGeSi in order to reduce gate resistance thus improving device speed/performance ([0008] of Xiang).

b. Regarding claims 13 and 19:

i. Koubouchi discloses an integrated circuit chip comprising: a substrate (fig. 16) having an active region and an isolation region (3, fig. 16); a transistor (7,7a, fig. 16) formed on the active region, the transistor having a source region, a drain region (8, fig. 16), and a gate electrode (7, 7a, fig. 16); and at least one dummy structure (34,34a fig. 16) formed completely on the isolation region, the at least one dummy structure comprising a layer (7c, 7a fig. 16) and a dielectric layer (8c, fig. 16) being a separate layer from the isolation region and being interposed between the layer and the isloation region. However, Koubouchi does not expressly disclose gate/dummy electrode layer is made of entirely of NiGeSi.

ii. Nakamura discloses a semiconductor device wherein the gate electrode is made of entirely NiGeSi (col. 7).

iii. It would have been obvious to one of ordinary skill in the art at the time of the invention to have made Koubouchi's dummy/gate electrodes of entirely NiGeSi in order to reduce gate resistance thus improving device speed/performance ([0008] of Xiang).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koubouchi '399 in view of Xiang '848.

a. Koubouchi/Xiang discloses the device of claim 1 and a gate dielectric (5, fig. 16 and 18) underlying the first structure. Koubouchi ,however, does not expressly disclose that the gate dielectric is make of a high-k dielectric (silicon oxide is used instead).

b. Xiang discloses a semiconductor deivce wherein hafnium oxide is used as a gate dielectric [0038].

c. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used hafnium oxide (a high-k dielectric) as Koubouchi's gate dielectric layer in order to reduce charge carrier leakeage ([0010] of Xiang).

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koubouchi '399 in view of Nakamura '574.

d. Koubouchi/Nakamura discloses the device of claim 1 but does not expressly disclose that the device is an SOI device.

e. Nakamura discloses a semiconductor device is an SOI device.

f. It would have been obvious to one of ordinary skill in the art at the time of the invention to have made Koubouchi's device an SOI device in order to reduce intereference from neighboring devices.

Response to Arguments

Applicant's arguments filed 10-24-08 have been fully considered but they are not persuasive.

a. Applicant argues that the 103 rejections do not cite a motivation to combine. Examiner notes that similar to previous rejections, an exemplery 103 rejection states " It would have been obvious to one of ordinary skill in the art at the time of the invention to have made Koubouchi's dummy/gate electrodes of entirely nickel silicide **in order to reduce gate resistance thus improving device speed/performance ([0008] of Xiang)."** The bolded section recites the motivation for the modification.

b. Applicant's remaining arguments with have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMAR MOVVA whose telephone number is (571)272-9009. The examiner can normally be reached on 7:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Nguyen can be reached on 571-272-2402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amar Movva
Examiner
Art Unit 2894

Am

/Bradley K Smith/
Primary Examiner, Art Unit 2894